
DIGEST

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Monica

HB No. 636

Abstract: Suspends the privilege to operate a watercraft when a test shows a blood alcohol level above the limit in present law, requires every person 16 years of age or younger to wear a life jacket in a watercraft less than 26 feet in length that is underway, and changes the age for those required to take boating safety education.

Present law provides the suspension of driving privileges of a person arrested for operating any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance while intoxicated for refusing an approved chemical test, or the results of such test show a blood alcohol level of 0.08 or 0.02 if the person is under the age of 21.

Proposed law retains present law and provides that driving privileges shall include the operation of a watercraft upon the waterways of this state. Any suspension or revocation of driving privileges shall also prohibit the operation of a watercraft during the time period of the suspension or revocation.

Proposed law prohibits operating a watercraft during a suspension or revocation and violations shall be class IV violations.

Present law requires every person 12 years of age or younger to wear a life jacket or preserver while in a watercraft less than 26 feet in length powered by an outboard motor and is underway.

Proposed law changes the age limitation to persons 16 years of age or younger.

Present law defines "underway" as at all times, except when a boat is anchored, moored, aground, or is being propelled solely by an electric trolling motor. Proposed law retains present law.

Present law provides that no person born after Jan. 1, 1988, shall operate a motorboat powered by a motor in excess of 10 horsepower unless he has completed a boating safety class approved by the National Association of State Boating Law Administrators. Present law authorizes any person to operate such a motorboat as long as at least one person on board or participating in a boating activity from the boat is over 18 and has completed the safety course if required to do so.

Proposed law retains present law except changes the date from Jan. 1, 1988, to Jan. 1, 1984. Effective date of educational requirement change is July 1, 2010.

(Amends R.S. 34:851.24(F)(2) and 851.36(A); Adds R.S. 32:667(B)(5) and R.S. 34:851.8 and

851.31(B))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill.

1. Changes the requirement from everyone to every person 16 years of age or younger to wear a life jacket or preserver while in a watercraft less than 26 feet in length powered by an outboard motor which is underway.
2. Removes 40 mph speed limit on any river, bayou, canal, creek, or stream.
3. Changes effective date on provision that changes the age requirement for boating education to July 1, 2010.